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AMENDMENT AFTER FINAL  
EXPEDITED PROCESSING

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Ari HINKKANEN

Serial No. 09/015,399

Filed: 29 January 1998

Examiner: M. Lubet

Group Art Unit: 1644

For: A NEW FUSION PROTEIN AND  
ITS USE IN AN IMMUNOASSAY  
FOR THE SIMULTANEOUS  
DETECTION OF AUTOANTIBODIES  
RELATED TO INSULIN-DEPENDENT  
DIABETES MELLITUS

RESPONSE AFTER FINAL

Assistant Commissioner for Patents  
Washington, DC 20231

Dear Sir:

In response to the Office Action mailed 28 February 2000, it is requested that the following remarks be considered.

REMARKS

The 35 U.S.C. § 103(a) Rejections

Claims 1-5, 7-10 and 17 were rejected under 35 U.S.C. § 103(a) as being obvious over Rogers et al. in view of Hummel et al., Verge et al., Rabin et al., Borg et al., Berg et al. and Wiest-Ladenburger et al.

Attached is a Declaration Under 37 C.F.R. § 131 by Applicant stating that he was in possession of the claimed invention at least as early as 22 August 1996. The exhibits attached to the Declaration indicate that Applicant had possession of the idea of using islet cell antibodies (ICAs) for an assay for diabetes at least as early as 22 August 1996. The idea included the use of a fusion protein using epitopes from different ICA proteins (see page 6 of Exhibit 3). These notes further teach that such a fusion protein could include epitopes from GAD65 and ICA 512

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